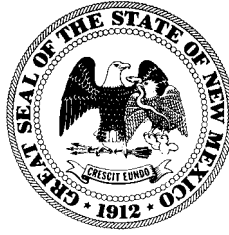


State of New Mexico



Office of the Attorney General
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Attorney General Madrid Joins Lawsuit Against HUD Over Pesticide Use in Public Housing

Suit Seeks to Reduce Children's Exposure to Toxic Chemicals

(Santa Fe, NM)— Attorney General Patricia Madrid joined six other state attorneys general Wednesday filing a lawsuit against the U.S. Department of Housing and Urban Development (HUD) over the agency's failure to reduce use of pesticides in public housing as required by federal law.

The action by the attorneys general seeks to reduce exposure to toxic chemicals by children and families who live in public housing. Specifically, the suit asks the court to direct HUD to promote and use "Integrated Pest Management" (IPM), a more effective method of pest control that also reduces the use of toxic pesticides whenever possible.

The attorneys general acknowledged the serious problem posed by insects and rodents in many public housing units, but noted that IPM can effectively address these problems without the excessive pesticide use that can lead to even more serious health concerns.

Attorney General Madrid said, "I support implementing environmentally safer methods of behavioral pest control. I believe Integrated Pest Management provides more effective and, more importantly, healthier methods of pest control, which are less reliant on chemical treatments. HUD should adopt this method in an effort to protect infants and children who may otherwise be exposed to harmful toxic pesticides from pest control practices."

New York Attorney General Eliot Spitzer said: "Pesticides are poisons that can damage people's health. When used in public housing, there is a real danger that infants and children will be

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exposed to toxic chemicals and be harmed as a result. It is imperative that HUD fulfill its legal obligation to promote the use of Integrated Pest Management and reduce the use of pesticides whenever possible. Embracing Integrated Pest Management holds the promise of improving the quality of life and the health of millions of people who live in HUD housing.”

The Attorneys General are basing their case on a provision of the federal pesticide law, known as the Federal Insecticide, Fungicide and Rodenticide Act, that states:

Federal agencies shall use Integrated Pest Management techniques in carrying out pest management activities and shall promote Integrated Pest Management through procurement or regulatory policies, and other activities.

An August 2002 report by the New York Attorney General’s Office, entitled “Pest Control in Public Housing, Schools and Parks: Urban Children at Risk,” found widespread use of toxic pesticides at public housing projects across New York State. The report outlined how the use of pesticides could be substantially reduced without any loss of pest control effectiveness if the public housing projects practiced Integrated Pest Management.

On October 8, 2003, state Attorneys General formally petitioned HUD to promote Integrated Pest Management by requiring HUD-funded public housing developments to adopt and implement IPM. HUD denied the request in December 2003. While HUD did not dispute the accuracy of the evidence presented in the petition, it argued that its modest efforts to address the problem met its obligations under the law.

In this suit, the states ask the Court to order HUD to require HUD-funded public housing developments to implement IPM. The states further request that the Court find that HUD’s prior inaction on this matter violated federal law.

The lawsuit was filed Wednesday in United States District Court in the Eastern District of New York.

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